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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/097,186	06/12/98	EKSTROM	G 8285/167

WM02/1221

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EXAMINER

AGDEPPA, H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED:

12/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

SM

Office Action Summary

Application No.

09/097,186

Applicant(s)

EKSTROM ET AL.

Examiner

Hector A. Agdeppa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 1998 and 21 August 1998.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 14) ☒ Notice of References Cited (PTO-892)
- 15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 17) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: _____.

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DETAILED ACTION

Specification

The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the reference to "Microfiche Appendix" and the drawings, each of the lettered items should appear in upper case, without underlining or bold type, as section headings. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) Title of the Invention.
 - (b) Cross-References to Related Applications.
 - (c) Statement Regarding Federally Sponsored Research or Development.
 - (d) Reference to a "Microfiche Appendix" (see 37 CFR 1.96).
 - (e) Background of the Invention.
 - 1. Field of the Invention.
 - 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
 - (f) Brief Summary of the Invention.
 - (g) Brief Description of the Several Views of the Drawing(s).
 - (h) Detailed Description of the Invention.
 - (i) Claim or Claims (commencing on a separate sheet).
 - (j) Abstract of the Disclosure (commencing on a separate sheet).
 - (k) Drawings.
 - (l) Sequence Listing (see 37 CFR 1.821-1.825).
1. Applicant is missing (f) Brief summary of the Invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 5, 7, 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown et al.

Brown et al. teaches a telemarketing system and method having a traffic control center processor (TCCP) 115 read as the claimed "call routing processor", a plurality of telecommunication centers (TC) 106 read as the claimed "service centers" and an IXC network 103 for handling toll-free calls and an LEC network 104 for handling local caller-paid calls. Note that more than one IXC and LEC network may be utilized in the invention of Brown et al. (Fig. 1, and Col. 14, lines 45 – 55) Furthermore, Brown et al. teaches TCCP 115 receiving status information from the ACDs 108 and DCs 107, associated with the TCs 106, and providing routing and call processing information to the IXC and LEC networks for routing calls originating therefrom to an appropriate TC. (Fig. 1 and Col. 7, line2 – Col. 8, line 8) Brown et al. also teaches the use of a call routing preference list 602 read as the claimed "routing scripts."

Also, it is inherent that the LEC and IXC networks located within the PSTN taught by Brown et al. are AIN networks as any networks utilizing at least one database that is queried for routing purposes, whereby the response of the database can determine the routing of a call can be considered to be an AIN network. It is also inherent in any AIN network that SCPs are utilized for storing customer specific information and that the

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SCP would be in communication with TCCP 115 over some sort of data channel via a call controller and an interface.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6, 8 – 13, and 17 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. in view of Hurd.

Regarding claims 8 – 13, Brown et al. has been discussed above, but Brown et al. does not teach default routing logic and instructions nor does he teach some service logic capable of performing certain functions on caller-paid calls and some communication logic for communicating with a routing processor. Brown et al. also fails to teach gathering specific telephone number information, and caller ID blocking.

However, Hurd teaches a PSTN, wherein it is inherent to have a call routing processor interface for communicating with a call routing processor such as processor 56 in NRU 12, having at least one LEC and IXC, whereby the PSTN has transfer and routing features and logic as well as ANI, DNIS, and DID read as the claimed "pre-determined service logic and functions". (Col. 5, lines 10 – 28 and Col. 10, lines 53 – 65) Hurd also teaches NRU 12 receiving call messages and extracting caller info and

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identifying a caller from ANI/DNIS/DID information, wherein it is well-known that with ANI for example, telephone number information includes at least an area code and prefix of the telephone number. Also, caller ID is a well-known feature in telephone networks as is the blocking of such a service. It is also inherent that in blocking a caller ID service, a presentation restriction indicator would be used.

It would have been obvious one skilled in the art to have included some sort of service and communication logic and features as well as a way of gathering caller info in the invention of Brown et al. so as to allow identification of a caller and permit the best routing for that call and caller to a service center.

Regarding claims 6, and 17 - 20 Brown et al. and Hurd have been discussed above. What Brown et al. further does not specifically teach is the use of an intelligent peripheral and a method of gathering additional information from a caller.

However, Hurd teaches a network routing unit (NRU) 12 comprising a processor 56, memory 58, a TIC 50, a VRU 52, and a NIC 54, wherein VRU 50 can be considered to be an intelligent peripheral and furthermore communicating via a data or voice/information channel. (Fig. 3 and Col. 8, lines 1 – 15) Also, Hurd teaches VRU 52 playing messages that may be responded to by a caller using for example, a touch tone keypad on a telephone and VRU 52 collecting the caller response(s). (Col. 11, lines 6, 22)

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It would have been obvious one skilled in the art to have included an intelligent peripheral such as that used in Hurd in the invention of Brown et al. so as to obtain data directly from callers and/or other sources as noted in Col. 7, line 38 – 40 of Brown et al. Furthermore, it is well known and old in the art to use intelligent peripherals such as IVRs and VRUs, to collect additional data from customers for routing purposes.

Regarding claims 21 and 22, Brown et al. and Hurd have been discussed above. What is not taught by Brown et al. is the handling of calls when a busy or no answer signal or condition is met.

However, Hurd teaches holding a call until a service representative or center becomes available when the aforementioned representative or center is busy or routing to another representative or center in the even that the holding time is exceeded.

It would have been obvious to one skilled in the art to have included such a feature in the invention of Brown et al. so as to allow routing to the "best" call center available as noted in Col. 2 of Hurd. It is further obvious that if a busy signal can be addressed by the invention of Hurd, the same would follow for a no answer condition as both situations result in a call to a call center not being answered.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. in view of Hurd and in further view of Shaffer et al.

Brown et al. and Hurd have been discussed above. What Brown et al. alone, or in combination with Hurd fails to teach is the identification of the type of originating station a call is made from.

However, Shaffer et al. teaches that information such as type of originating station may be identified. (Col. 16, lines 1 – 11)

It would have been obvious to one skilled in the art to include the aforementioned feature in the invention of Brown et al. so as to allow a consumer access to all the information relating to a calling telephone as noted in Col. 16 of Shaffer et al.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat 5,291,550 (Levy et al.) teaches dynamic network call distribution. US Pat 5,533,108 (Harris et al.) teaches a method and system for routing phone calls based on voice and data transport capability. US Pat 5,555,299 (Maloney et al.) teaches a method and system for transferring calls and call-related data between

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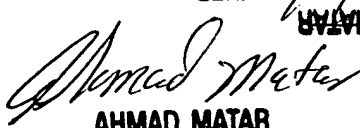
a plurality of call centers. US Pat 5,590,188 (Crockett) teaches rules-based call routing. US Pat 5,870,464 (Brewster et al.) teaches an intelligent information routing system and method. US Pat 5,915,012 (Miloslavsky) teaches a system and method for operating a plurality of call centers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 703-305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5403 for regular communications and 703-308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

H.A.A.
December 5, 2000

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